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- Dkt. 52130-A-PCT-US/JPW/EJT

IN THE UNITED STATES RECEIVING OFFICE (DO/EO/US)

Applicants : Dietmar Spengler and Laurent Journot

Serial No. : 09/254,870 Int'l Appln.
No.: PCT/EP97/05198

Entered U.S. Int'l Filing
National Stage : March 15, 1999 Date: September 22, 1997

For : NUCLEIC ACID MOLECULES CODING FOR TUMOR
SUPPRESSOR PROTEINS AND METHODS FOR THEIR
ISOLATION

1185 Avenue of the Americas
New York, New York 10036
August 4, 1999

Assistant Commissioner for Patents
Washington, D.C. 20231

Box: PCT

Sir:

**COMMUNICATION IN RESPONSE TO MAY 4, 1999 NOTIFICATION
OF MISSING REQUIREMENTS UNDER 35 U.S.C. §371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE
(DO/EO/US) AND PETITION FOR A TWO MONTH EXTENSION OF TIME**

This Communication is submitted in response to a Notification Of Missing Requirements under 37 C.F.R. §371 In The United States Designated/Elected Office (DO/EO/US) issued in connection with the above-identified patent application on May 4, 1999 by the U.S. Patent and Trademark Office. A response to the May 4, 1999 Notice was due June 4, 1999. Applicants hereby petition for a two-month extension of time for responding to the May 4, 1999 Notice. The required fee for a two-month extension of time is ONE HUNDRED NINETY DOLLARS (\$190.00) for a small entity and a check which includes this amount is enclosed. Therefore, a response to the May 4, 1999 Communication with a two-month extension of time is due August 4, 1999. Accordingly, this Communication is being timely filed.

Applicants attach hereto a copy of the Notice as **Exhibit A**. Applicants hereby submit an executed Declaration and Power of Attorney pursuant to 37 C.F.R. §1.53(f) and in compliance with

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01 FC:216
02 FC:254

190.00 OP
65.00 OP

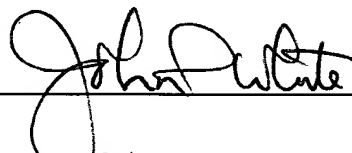
Dietmar Spengler and Laurent Journot
Serial No.: 09/254,870
Filed: March 15, 1999
Page 2

37 C.F.R. §1.63 as **Exhibit B**. The Declaration refers to the application's above-identified serial number and filing date. The enclosed check for TWO HUNDRED FIFTY FIVE DOLLARS (\$255.00) also includes the amount of SIXTY FIVE DOLLARS (\$65.00) to cover the surcharge under 37 C.F.R. §1.16(e) for submitting the enclosed Declaration for a small entity.

Applicants filed on August 4, 1999, two Verified Statements (Declarations) Claiming Small Entity Status under 37 C.F.R. §1.9(f) and §1.27(d). Copies of the signed Verified Statements Claiming Small Entity Status are attached hereto as **Exhibits C and D**. Therefore, applicants have established Small Entity Status and such status is still applicable.

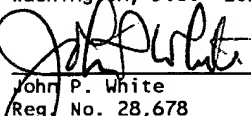
No fee, other than the enclosed fee of \$255.00, is deemed necessary in connection with the filing of this Communication. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:
Assistant Commissioner for Patents
Washington, D.C. 20231

 8/4/99
John P. White Date
Reg. No. 28,678